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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK

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DARK STORM INDUSTRIES LLC, BRIAN  
DOHERTY, and KEVIN SCHMUCKER,

**20 cv 360 (LEK)(ATB)**

Plaintiffs,

- against -

ANDREW CUOMO, in his official capacity as Governor  
of the State of New York, EMPIRE STATE  
DEVELOPMENT CORPORATION, and  
ELIZABETH RUTH FINE, ESQ.,

**NOTICE OF APPEAL**

Defendants.

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Notice is hereby given that the following parties:

DARK STORM INDUSTRIES LLC, BRIAN DOHERTY, and KEVIN SCHMUCKER

in the above-named case appeal to the United States Court of Appeals for the Second Circuit  
from the Memorandum-Decision and Order dated July 8, 2020 (Document # 28), which denied  
Plaintiffs' motion for partial summary judgment, granted Defendants' cross-motion for summary  
judgment, and dismissed the complaint, and further appeal from all prior orders, including text  
orders, entered prior thereto.

Dated: August 5, 2020  
Port Washington, New York

/s James M . Maloney  
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